

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
v. ) Civil Action No. )  
 )  
ONE 2001 TOYOTA SEQUOIA, BEARING )  
VEHICLE IDENTIFICATION NUMBER )  
5TDBT48A31S055061, and )  
MASSACHUSETTS REGISTRATION NUMBER )  
7655YI, and ONE 2003 LEXUS SC430, )  
VEHICLE IDENTIFICATION NUMBER )  
JTHFN48Y130045173, and )  
MASSACHUSETTS REGISTRATION NUMBER )  
42MS06, )  
Defendants. )

**WARRANT AND MONITION**

To: The United States Bureau of Customs and Border  
Protection

We Command You that you give notice to all persons concerned that a Verified Complaint for Forfeiture In Rem (the "Complaint"), a copy of which is attached hereto, has been filed by the United States of America against the defendant vehicles, more particularly described as one 2001 Toyota Sequoia, Vehicle Identification Number 5TDBT48A31S055061, and Massachusetts Registration Number 7655YI, registered in the name of Erick Donis, and one 2003 Lexus SC430, Vehicle Identification Number JTHFN48Y130045173, and Massachusetts Registration Number 42MS06, registered to Toyota Motor Credit Corporation, and leased to Erick Donis (the "Defendant Vehicles").

This Court has found probable cause for forfeiture.

Accordingly, you are hereby directed to serve, and give

notice of, the Complaint by:

- (1) Publishing notice of the United States' intent to forfeit the Defendant Vehicle at least once for three (3) successive weeks in the Boston Herald or any other newspaper having a general circulation in this District; and
- (2) Mailing a copy of this Warrant and Monition, together with a copy of the Complaint to:

Toyota Motor Credit Corporation  
Lexus Financial Services  
500 Red brook Boulevard  
Owings Mills, MD 21117

Gerry D'Ambrosio, Esquire  
as Counsel for Erick Donis  
D'Ambrosio Law Offices  
14 Proctor Avenue  
Revere, MA 02151

Jenny Jazmin Saenz  
15 Abruzzi Street  
Revere, MA 02115

by certified mail, postage prepaid and return receipt requested, or by serving such copies on the listed parties by hand.

You Are Further Commanded to arrest, attach, inspect and retain the Defendant Vehicles in your custody until further order of this Court.

You Are Further Commanded to give due notice by appropriate service of process, as provided herein, to all persons who claim an interest in the Defendant Vehicles, or assert that the Defendant Vehicles should not be condemned or disposed of pursuant to the prayer of the Complaint. Upon execution of this process, you are directed further to file the execution in this Court with your return thereon.

ALL CLAIMS TO THE DEFENDANT VEHICLES MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON THE UNITED STATES ATTORNEY'S OFFICE, ASSET FORFEITURE UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN THIRTY (30) DAYS AFTER PROCESS HAS BEEN EXECUTED OR WITHIN SUCH ADDITIONAL TIME AS MAY BE ALLOWED BY THIS COURT. ALL ANSWERS TO THE COMPLAINT MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON THE UNITED STATES ATTORNEY'S OFFICE, ASSET FORFEITURE UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN TWENTY (20) DAYS AFTER THE FILING OF THE CLAIM. CLAIMS MUST BE FILED IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL PROCEDURE, SUPPLEMENTAL RULES FOR CERTAIN ADMIRALTY AND MARITIME CLAIMS. THE PROCEDURES FOR FILING A PETITION FOR REMISSION OR MITIGATION ARE SET FORTH IN 28 C.F.R. PART 9.

Tony Anastas, Clerk  
U.S. District Court

By:

*Caine Flaherty*  
Deputy Clerk

Date: 9/29/04 2004

APPROVED AND SO ORDERED:

*Richard B. Stearns*

United States District Judge

Date: September 27, 2004